



## SOCIAL SECURITY ADMINISTRATION

**[Docket No: SSA-2023-0014]**

Agency Information Collection Activities: Proposed Request and Comment Request

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104-13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes revisions of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers.

(OMB)

Office of Management and Budget

Attn: Desk Officer for SSA

Comments: <https://www.reginfo.gov/public/do/PRAMain>. Submit your comments online referencing Docket ID Number [SSA-2023-0014].

(SSA)

Social Security Administration, OLCA

Attn: Reports Clearance Director

Mail Stop 3253 Altmeyer

6401 Security Blvd.

Baltimore, MD 21235

Fax: 833-410-1631

Email address: [OR.Reports.Clearance@ssa.gov](mailto:OR.Reports.Clearance@ssa.gov)

Or you may submit your comments online through

<https://www.reginfo.gov/public/do/PRAMain>, referencing Docket ID Number [SSA-2023-0014].

- I. The information collections below are pending at SSA. SSA will submit it to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Individuals can obtain copies of the collection instruments by writing to the above email address.

**1. Missing and Discrepant Wage Reports Letter and Questionnaire --**

**26 CFR 31.6051-2 -- 0960-0432.** Each year employers report the wage amounts they paid their employees to the Internal Revenue Service (IRS) for tax purposes, and separately to SSA for retirement and disability coverage purposes. Employers should report the same figures to SSA and the IRS; however, each year some of the employer wage reports SSA receives show wage amounts lower than those employers report to the IRS. SSA uses Forms SSA-L93-SM, SSA-L94-SM, SSA-95-SM, and SSA-97-SM to request revised amounts to ensure employees receive full credit for their wages. SSA is also creating the online IRS/SSA Reconciliation portal which is a streamlined version of the SSA-95-SM and the SSA-97-SM. The IRS/SSA Reconciliation portal will guide employers to the appropriate solutions and will link the users to online tools to correct issues. The respondents are employers who reported lower wage amounts to SSA than they reported to the IRS.

Type of Request: Revision of an OMB-approved information collection.

Modality of Completion for forms	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Total Annual Opportunity Cost (dollars)**
SSA-95-SM and SSA-97-SM (and accompanying cover letters SSA-L93, L94) (paper version)	356,800	1	30	178,400	\$28.01*	\$4,996,984**
IRS/SSA Reconciliation (online version)	89,200	1	30	44,600	\$28.01*	\$1,249,246**
<b>Totals</b>	<b>446,000</b>			<b>223,000</b>		<b>\$6,246,230</b>

\*We based this figure on the average U.S. worker's hourly wages, as reported by Bureau of Labor Statistics data

([https://www.bls.gov/oes/current/oes\\_nat.htm](https://www.bls.gov/oes/current/oes_nat.htm)).

\*\* This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. **There is no actual charge to respondents to complete the application.**

## **2. Authorization for the Social Security Administration to Obtain Wage and Employment Information from Payroll Data Providers --**

**0960-0807.** Section 824 of the Bipartisan Budget Act (BBA) of 2015, Public Law 114-74, authorizes the Social Security Administration (SSA) to enter into information exchanges with payroll data providers for the purposes of improving program administration and preventing improper payments in the Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) programs. SSA uses Form SSA-8240,

“Authorization for the Social Security Administration to Obtain Wage and Employment Information from Payroll Data Providers,” to secure the authorization needed from the relevant members of the public to obtain their wage and employment information from payroll data providers. Ultimately, SSA uses this wage and employment information to help determine program eligibility and payment amounts.

The public can complete Form SSA-8240 using the following modalities: a paper form; the Internet; and an in-office or telephone interview, during which an SSA employee documents the wage and employment information authorization information on one of SSA’s internal systems (the Modernized Claims System (MCS); the SSI Claims System; eWork; or iMain). The individual’s authorization remains effective until one of the following four events occurs:

- SSA makes a final adverse decision on the application for benefits, and the applicant has filed no other claims or appeals under the Title for which SSA obtained the authorization;
- the individual’s eligibility for payments ends, and the individual has not filed other claims or appeals under the Title for which SSA obtained the authorization;
- the individual revokes the authorization verbally or in writing; or
- the deeming relationship ends (for SSI purposes only).

SSA requests authorization on an as-needed basis as part of the following processes: (a) SSDI and SSI initial claims; (b) SSI redeterminations; and (c) SSDI Work Continuing Disability Reviews. The respondents are individuals who file for, or are currently receiving, SSDI or SSI payments,

and any person whose income and resources SSA counts when determining an individual's SSI eligibility or payment amount.

Type of Request: Revision of an OMB approved information collection.

\* We based this figure on the average DI payments based on SSA's current

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office or for Teleservice Centers (minutes) **	Total Annual Opportunity Cost (dollars) ***
SSA-8240 (paper)	150,000	1	8	20,000	\$12.81*		\$256,200***
Web Title II & Title XVI Electronic (MCS, MSSICS, and eWork)	697,580	1	3	34,879	\$12.81*	21*	\$3,574,400***
Internet	147,820	1	3	7,391	\$12.81*	0	\$94,679***
<b>Totals</b>	<b>995,400</b>			<b>62,270</b>			<b>3,925,279***</b>

FY 2023 data (<https://www.ssa.gov/legislation/2023factsheet.pdf>).

\*\* We based this figure by averaging the average FY 2023 wait times for field offices and teleservice centers, based on SSA's current management information data.

\*\*\* This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. **There is no actual charge to respondents to complete the application.**

### 3. Notice to Electronic Information Exchange Partners to Provide

**Contractor List -- 0960-0820.** The Federal standards of the Privacy Act of 1974; E-Government act of 2002; and the National Institute of Standard Special Publications 800-53-4, require SSA to maintain oversight of the

information it provides to Electronic Information Exchange Partners (EIEPs). EIEPs obtain SSA data for the administration of federally funded and state-administered programs. SSA has a responsibility to monitor and protect the personally identifiable information SSA shares with other Federal and State agencies, and private organizations through the Computer Matching and Privacy Protection Act, and the Information Exchange Agreements (IEA). Under the terms of the State Transmission Component IEA, and agency IEA, EIEPs agree to comply with Electronic Information Exchange security requirements and procedures for State and local Agencies exchanging electronic information with SSA. SSA's Technical Systems Security Requirements document provides all agencies using SSA data ensure SSA's information is not processed; maintained; transmitted; or stored in; or by means of data communications channel; electronic devices; computers; or computer networks located in geographic or virtual areas not subject to U.S. law. SSA conducts tri-annual compliance reviews of all State and local agencies, and Tribes with whom we have an IEA, to verify appropriate security safeguards remain in place to protect the confidentiality of information SSA supplies. SSA requires any organization with an electronic data exchange agreement, to provide the SSA Regional Office contact a current list of contractors, or agents who have access to SSA data upon request. SSA uses Form SSA-731, Notice to Electronic Information Exchange Partners to Provide Contractor List to collect this information. The respondents are Federal agencies, as well as State, local, or tribal agencies who exchange electronic information with SSA.

Type of Request: Revision to an OMB-approved information collection.

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden Per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Total Annual Opportunity Cost (dollars)**
SSA-731	300	1	20	100	\$28.01*	\$2.801**

\* We based this figure on average State, local and tribal government

worker's salaries, as reported by Bureau of Labor Statistics data

([https://www.bls.gov/oes/current/oes\\_nat.htm](https://www.bls.gov/oes/current/oes_nat.htm)).

\*\* This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. **There is no actual charge to respondents to complete the application.**

II. SSA submitted the information collection below to OMB for clearance. Your comments regarding this information collection would be most useful if OMB and SSA receive them 30 days from the date of this publication. To be sure we consider your comments, we must receive them no later than **INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER**. Individuals can obtain copies of the OMB clearance package by writing to [OR.Reports.Clearance@ssa.gov](mailto:OR.Reports.Clearance@ssa.gov).

#### **Evidence From Excluded Medical Sources of Evidence -- 20 CFR**

**404.1503b and 416.903b -- 0960-0803.** Section 812 of the Bipartisan

Budget Act of 2015 (BBA), "Exclusion of certain medical sources of evidence," mandates that SSA exclude evidence in disability decisions from certain medical sources. BBA Section 812 amended section

223(d)(5) of the Social Security Act (Act) by adding a subsection "C."

Section 223(d)(5)(C)(i) of the Act, as amended, requires SSA to exclude

evidence (except for good cause) from medical sources: (1) convicted of a felony under sections 208 or 1632 of the Act; (2) excluded from participating in any Federal health care program under section 1128 of the Act; or (3) imposed with a civil monetary penalty (CMP), assessment, or both, for submitting false evidence, under section 1129 of the Act. We also implemented section 223(d)(5)(C), as amended, through regulations at 20 CFR 404.1503b and 416.903b of the Code of Federal Regulations. These regulations require excluded medical sources to self-report their excluded status, in writing, each time they submit evidence related to a claim for benefits under Titles II or XVI of the Act. Excluded medical sources' duty to self-report their excluded status applies to evidence they submit to SSA directly, or through a representative, claimant, or other individual or entity. As needed, SSA informs the medical sources we suspect should be excluded of these requirements through a Fact Sheet we send to them via mail, or which they can find on our website where we list the regulatory requirements under BBA section 812. In addition, along with the Fact Sheet and website, we provide sample statements as templates which the affected medical sources can use to create their own written statements as required under our regulations. The respondents for this collection are medical sources that: (1) meet one of the exclusionary categories set forth in section 223(d)(5)(C)(i) of the Act, as amended; (2) furnish evidence related to a claim for benefits under Titles II or XVI of the Act; and (3) had failed to self-identify as an excluded source of medical evidence as required in Section 223(d)(5)(C)(i).

Type of Request: Revision of an OMB-approved information collection.



Modality of Completion	Number of Respondents	Frequency of Response	Number of Responses	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Total Annual Opportunity Cost (dollars)**
404.1503b(c) 416.903b(c)	200	3	600	20	200	\$43.80*	\$8,760**

\* We based this figure on the average Healthcare Practitioners and

Technical Occupations worker's hourly wages, as reported by Bureau of Labor Statistics data (Healthcare Practitioners and Technical Occupations (bls.gov)).

\*\* This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. **There is no actual charge to respondents to complete the application.**

Dated: May 25, 2023.

**Naomi Sipple,**

*Reports Clearance Officer,*

*Social Security Administration.*

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